

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 29962 of 2014

Arising out of P. S. Case No. - 148 Year - 2013 Thana - HASANPUR District - SAMASTIPUR

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1. Buchi Mukhiya, S/o Late Ramphal Mukhiya
 2. Suresh Mukhiya, S/o Khattar Mukhiya
 3. Shushila Devi, W/o Late Rupesh Kumar Mukhiya, D/o Buchi Mukhiya
All are resident of Bhatwan, P.S. - Hasanpur, P.S. - Hathauri, District - Samastipur
 4. Ram Babu Mukhiya, S/o Maheshwar Sahani, Resident of Village - Kothiya, P.S. - Hathauri, Distt.- Samastipur

.... Petitioners

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners :
For the Opposite Party :

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CORAM: HONOURABLE MR. JUSTICE GOPAL PRASAD
ORAL ORDER

4 20-04-2015

Heard learned counsel for the petitioners and learned
counsel for the State.

This is a petition for grant of anticipatory bail in a
case under Sections 302 and 201/34 of the Indian Penal Code.

It is alleged that son of the informant went to his
Sasural for Bidai of his wife and the informant learnt that accused
petitioners murdered his son Rupesh Kumar Mukhia and
concealed his dead body. However, the dead body has been
found near the river.

It is alleged that petitioner no. 1 is the father-in-law
of the deceased, petitioner no. 2 is the co-villager of father-in-
law, petitioner no. 3 is the wife of the deceased and petitioner no.

4 is the brother-in-law of petitioner no. 3. The deceased is the husband of Shushila Devi, petitioner no. 3.

There is no eye-witness to the occurrence and it has come in the case diary that son of the informant has been done to death for the reason that Shushila Devi, petitioner no. 3, the wife of the deceased had illicit relation with Ram Babu Mukhiya, petitioner no. 4, the brother-in-law of Shushila Devi, petitioner no. 3. However, there is no direct evidence and the case hinges on circumstantial evidence. However, the chain of circumstance has not been completed.

Hence, having regard to the facts and circumstances of the case, the petitioners, above named, are directed to be released on anticipatory bail in the event of their arrest or surrender within a period of four weeks from the date of receipt/production of a copy of this order on furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Rosera, Samastipur in connection with Hasanpur P.S. Case No. 148 of 2013, subject to the conditions as laid down under Section 438(2) of the Cr. P. C. and further subject to the condition that the petitioners shall co-operate during investigation and produce themselves as and when

required by the police during investigation and shall appear in the Court after submission of the charge-sheet and collect the police paper if the charge is submitted.

(Gopal Prasad, J.)

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